

ORAL ARGUMENT NOT YET SCHEDULED
IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Algonquin Gas Transmission, LLC,

Petitioner,

v.

Federal Energy
Regulatory Commission,

Respondent.

No. 21-1115

Algonquin Gas Transmission, LLC,

Petitioner,

v.

Federal Energy
Regulatory Commission,

Respondent.

No. 21-1153

PETITIONER’S UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rules of Appellate Procedure 27 and 42(b) and D.C. Circuit Rules 27(g) and 42, Petitioner Algonquin Gas Transmission, LLC (“Algonquin”) respectfully moves to voluntarily dismiss its petitions for review in

the above-captioned cases, numbered 21-1115 and 21-1153. In support of this motion, Algonquin states as follows:

1. On May 3, 2021, Algonquin filed in this Court a petition for review of two orders issued by the Federal Energy Regulatory Commission (“Commission”): Order Establishing Briefing, *Algonquin Gas Transmission, LLC*, 174 FERC ¶ 61,126 (Feb. 18, 2021) (“February 18 Order”); and Notice of Denial of Rehearings by Operation of Law and Providing for Further Consideration, *Algonquin Gas Transmission, LLC*, 175 FERC ¶ 62,022 (Apr. 19, 2021) (“April 19 Notice”). This Court docketed that petition for review as case number 21-1115.

2. On July 16, 2021, Algonquin filed in this Court a petition for review of the February 18 Order, the April 19 Notice, and two additional orders of the Commission: Order Dismissing Requests for Rehearing, *Algonquin Gas Transmission, LLC*, 175 FERC ¶ 61,150 (May 19, 2021); and Notice of Denial of Rehearings by Operation of Law, *Algonquin Gas Transmission, LLC*, 176 FERC ¶ 62,029 (July 16, 2021). This Court docketed that petition for review as case number 21-1153.

3. Federal Rule of Appellate Procedure 42(b) provides that an “appeal may be dismissed on the appellant’s motion on terms agreed to by the parties or fixed by the court.” Fed. R. App. P. 42(b).

4. Algonquin desires to withdraw its petitions for review and hereby moves to dismiss cases 21-1115 and 21-1153 voluntarily, with all parties bearing their own costs.

5. Counsel for Algonquin has conferred with counsel for Respondent, the Commission, and is authorized to state that the Commission consents to this motion.

WHEREFORE, Algonquin Gas Transmission, LLC respectfully requests that the Court enter an order dismissing cases 21-1115 and 21-1153 pursuant to Federal Rule of Appellate Procedure 42(b), with all parties to bear their own costs.

Date: October 27, 2023

Respectfully submitted,

/s/ Jeremy C. Marwell

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Algonquin Gas Transmission, LLC

CERTIFICATE OF COMPLIANCE

1. This motion complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2) because it contains 334 words, excluding the parts exempted by Federal Rules of Appellate Procedure 32(f) and 27(d)(2).

2. This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6), because it has been prepared in a proportionally spaced typeface using Microsoft Word for Office 365 ProPlus, in Times New Roman 14-point font.

October 27, 2023

/s/ Jeremy C. Marwell

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CERTIFICATE OF SERVICE

Pursuant to Rule 25 of the Federal Rules of Appellate Procedure, I hereby certify that on October 27, 2023, I electronically filed the foregoing motion with the Clerk of the Court for the U.S. Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system, and served copies of the foregoing via the Court's CM/ECF system on all ECF-registered counsel.

October 27, 2023

/s/ Jeremy C. Marwell

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